

# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 19<sup>th</sup> day of December, two thousand nineteen.

Before: John M. Walker, Jr.,  
Debra Ann Livingston,  
Susan L. Carney,  
*Circuit Judges.*

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Carmen Aquino,

**ORDER**

Plaintiff-Appellee,

Docket No. 19-3911

Elsa Gulino, Mayling Ralph, Peter Wilds, Nia Greene, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Board of Education of the City School District of the City of New York,

Defendant - Appellant,

New York State Education Department,

Defendant.

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On November 18, 2019, The Board of Education of the City School District of the City of New York appealed from a judgment entered in 96-cv-8414 on October 25, 2019. A case management order entered on June 3, 2019 in the lead appeal, Gulino v. Board of Education of the City School District of the City of New York (Munoz), docket no. 19-1162 (entry no. 26), directs that the appeals filed by September 3, 2019 will be considered in tandem with the lead appeal. This appeal was filed after September 3, 2019 and therefore is not included in the case management order.

IT IS HEREBY ORDERED that the above-captioned appeal is REMANDED for further proceedings in the district court following this Court's determination of the lead appeal, or as the

district court deems appropriate. Following the district court's action, either party may restore jurisdiction to this court by notifying the Clerk of Court by letter that it seeks further appellate review. No new notice of appeal will be required. See United States v. Jacobson, 15 F.3d 19, 21-23 (2d Cir. 1994). The Clerk is directed to issue the mandate forthwith.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  


A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
